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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/809,584	03/15/2001	Mark Rose	1991-00200	5899
23505	7590	09/22/2005	EXAMINER	
CONLEY ROSE, P.C. P. O. BOX 3267 HOUSTON, TX 77253-3267			DASS, HARISH T	
			ART UNIT	PAPER NUMBER
			3628	
DATE MAILED: 09/22/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/809,584

Applicant(s)

ROSE, MARK

Examiner

Harish T. Dass

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 April 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-15 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Datek.com (hereinafter Datek) in view of Mutual Fund Newsletter, Volume 1, April 1, 2000 (hereinafter Newsletter).

Re. Claims 1 and 14-15 discloses Datek discloses retrieving from a service provider information regarding a specific security, wherein the information includes a representation of a link to an online brokerage service, actuating the representation, thereby retrieving an order form for the specific security from the online brokerage service, and completing includes entering a password into a corresponding entry field in the order form [see entire document]. Datek does not explicitly discloses completing the order form, and submitting the order form to the brokerage service and wherein the order form includes a field to indicate the specific security, and wherein the brokerage service populates the field with a symbol indicating the specific security before providing the order form. However, Newsletter discloses these steps [see entire document] to allow investor to fill up a mutual fund application form online and invest easy way. It would have been obvious to one of ordinary skill in the art at the time the Applicant's

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invention was made to combine disclosures Datek and Newsletter to allow individuals save his/her ID and password and trade online without entering ID and password when investing next time.

Re. Claim discloses 2-8, Datek discloses wherein the specific security is a particular company's stock, wherein the specific security is a particular mutual fund, wherein the specific security is a particular option, wherein the service provider provides an investment research service, wherein the information includes one or more price quotes for the specific security, wherein the information includes recent news about the specific security, and wherein the representation is a button icon [see entire document].

Re. Claim 9 discloses Datek discloses button icon labels such as "New Account", "Learn More", etc. Neither Datek nor Newsletter explicitly discloses wherein the representation is a button icon with a "Trade Now" label. However, this step is known and it would have been obvious to one of ordinary skill in the art at the time the Applicant's invention was made to modify disclosure of Datek and Newsletter and label an icon "Trade Now" to get price or start trading.

Re. Claim 10, Datek discloses wherein the link includes a root portion, a software routine indicator portion, and a parameter portion such as:

[http://web.archive.org/web/..//www.datek.com/applications/index\\_s.html](http://web.archive.org/web/..//www.datek.com/applications/index_s.html) [see entire document].

Re. Claims 11-13, Datek discloses

[http://web.archive.org/web/..//www.datek.com/applications/index\\_s.html](http://web.archive.org/web/..//www.datek.com/applications/index_s.html). Datek does not explicitly disclose wherein when the specific security is a mutual fund, the software routine indicator indicates a first software routine that generates a mutual fund purchase order form, and wherein when the specific security is a stock or stock option, the software routine indicator indicates a second, different software routine that generates stock and stock option order forms, wherein the parameter portion includes a source parameter indicative of the service provider, and a securities parameter indicative of the specific security, and wherein the parameter portion further includes a transaction parameter indicative of a security type to which the specific security belongs. However, these steps are obvious to one skill in the art to links application program to be executed using hyperlink to retrieve information from server.

Claims 16-27 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Datek.com in view of Barman et al (hereinafter Barman – US 6,226,655).

Re. Claims 16, 20, Datek discloses wherein the third party computer is configured to respond to investment information requests from the investor computer by providing HTML (hyper-text markup language) documents having the investment information and a representation of a link, wherein the link is a URL (uniform resource locator) address of order software on the brokerage computer, and wherein the link includes an indicator

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of a specific security associated with the investment information [see entire document].

Datek does not explicitly disclose a network, an investor computer coupled to the network, and a brokerage computer coupled to the network, and , and wherein the third party computer implements an investment research service. However, Barman discloses these feature where Yahoo.com is a third party [see entire document particularly Abstract; Figures 1-2, 4-5B; C1 L15 to C2 L62; C5 L46 to C6 L10] to allow the user to retrieve information through a browser connected to a network. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to combine disclosures of Datek and Barman to allow user purchase securities over the Internet.

Re. Claims 17-19, Datek discloses wherein the specific security is a particular company's stock, wherein the specific security is a particular mutual fund, and wherein the specific security is a particular stock option [see entire document].

Re. Claim 21 discloses Datek discloses button icon labels such as "New Account", "Learn More", etc. Neither Datek nor Barman explicitly discloses wherein the representation is a button icon with a "Trade Now" label. However, this step is known and it would have been obvious to one of ordinary skill in the art at the time the Applicant's invention was made to modify disclosure of Datek and Newsletter and label an icon "Trade Now" to get price or start trading.

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Re. Claim 22, Datek discloses wherein the link includes a root portion, a software routine indicator portion, and a parameter portion such as:

[http://web.archive.org/web/..//www.datek.com/applications/index\\_s.html](http://web.archive.org/web/..//www.datek.com/applications/index_s.html) [see entire document].

Re. Claims 23-25, Datek discloses

[http://web.archive.org/web/..//www.datek.com/applications/index\\_s.html](http://web.archive.org/web/..//www.datek.com/applications/index_s.html). Datek does not explicitly disclose wherein when the specific security is a mutual fund, the software routine indicator indicates a first software routine that generates a mutual fund purchase order form, and wherein when the specific security is a stock or stock option, the software routine indicator indicates a second, different software routine that generates stock and stock option order forms, wherein the parameter portion includes a source parameter indicative of the service provider, and a securities parameter indicative of the specific security, and wherein the parameter portion further includes a transaction parameter indicative of a security type to which the specific security belongs. However, these steps are obvious to one skill in the art to links application program to be executed using hyperlink to retrieve information from server.

Re. Claims 26-27, Datek discloses wherein the brokerage computer is configured to respond to a request activated by said link by sending an HTML document to the investor computer, wherein HTML document is a securities order form that indicates the

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specific security associated with the investment information, and wherein the order form includes a password entry field [see entire document].

### ***Response to Arguments***

1. Applicant's arguments filed 4/27/2005 have been fully considered but they are not persuasive:

Re. Applicant's argument (Ref. claim 1) "retrieving from a service provider ..." datek disclose this in pages 13-14 "What You Can Trade with Datek Online". It is obvious that in order to trade buy/sell a security, it is for specific security (see web page 13 "\$50.00 for us to send you a stock certificate), which indicates that there is a specific stock (security) traded.

Re. Applicant's argument (Ref. claim 16) "a third party computer ...URL ..on brokerage computer." Prior art Datek, discloses URL links (see web page 3/23 of prior art Datek previously submitted) where the icons "New Accounts" is linked to web page 4/23 (see URL for each web page is printed at lower part of the page. For example, page 12/23, in 1997 the Datek URL <https://orders4.datek.com> would had provided a webpage to order a security, since now it is archived

(<http://web.archive.org/web/19970605010656/https://orders4.datek.com>) it does not work. Similarly, [http://web.archive.org/web/..www.datek.com/applications/index\\_s.html](http://web.archive.org/web/..www.datek.com/applications/index_s.html) URL for web page 4/23 is <http://web.archive.org/web/19970605010656> by clicking on this URL or copying this URL on Internet explorer address box, a person can get to this web page. Also see page 12/23 "Tip Archive" and "Just go to the account Options link



..." which indicated links between the two WebPages and these WebPages may be for different sites.

Further, HTML and URL are well known to one skilled in the art, where the URL of any site can be embedded in the HTML page to allow user to access a web site without typing or knowing the address of the web page (see page 12/23 of Datek, where a URLs are embedded in the web page. For example, see <http://.../orders4.datek.com> or Visitor's Center icon, etc.) There is no sanction that a URL for a brokerage firm or a company cannot be embedded in WebPages. For example, webpage for USA To Day (9/14/05) <http://www.usatoday.com/money/front.htm> has link to Scottrade brokerage firm, this is well known and it has been used in past to surf different sites (web-pages).

### ***Conclusion***

2. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 CFR ' 1.111 (c) to consider the references fully when responding to this action.

Greg Govatos, "Speed up your dynamic Web content", Network World. Framingham: Dec 18, 2000.Vol.17, Iss. 51; pg. 43, 1 pgs; ISSN/ISBN: 08877661; ProQuest document ID: 65389926; Document URL: <http://proquest.umi.com/pqdweb?did=65389926&sid=1&Fmt=4&clientId=19649&RQT=309&VName=PQD> , discloses to address the latencies inherent in dynamic Web sites, a new class of product is emerging called dynamic content accelerators. These server-side accelerators intelligently feed data to application servers, letting pages be created much faster than they are on nonoptimized sites. Sites gain 3 efficiencies by caching dynamic page content: 1. Script routines do not have to be executed. 2. Data elements do not have to be retrieved from local or remote database systems. 3. Data elements do not have to be converted from formats such as XML or wireless markup language into HTML.

Miller Freeman Inc., "Tips, tricks, and automated helpers", Keyboard. San Francisco: Apr 2000.Vol.26, Iss. 4; pg. 20, 1 pgs; ISSN/ISBN: 07300158; ProQuest document ID: 52187699; Document URL: <http://proquest.umi.com/pqdweb?did=52187699&sid=1&Fmt=4&clientId=19649&RQT=309&VName=PQD>, discloses, [www.versiontracker.com](http://www.versiontracker.com) A central location for any Macintosh user who needs to find the latest versions of software, shareware, and

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freeware upgrades. Users can tag specific software titles to be tracked by Versiontracker. When a new version of, say, Emagic Logic Audio is released, Versiontracker notifies you via email with an embedded URL that links directly to a download site.

Datek web pages for 1997. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Harish T. Dass whose telephone number is 571-272-6793. The examiner can normally be reached on 8:00 AM to 4:50 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S. Sough can be reached on 571-272-6799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

9/14/05

  
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Examiner  
Art Unit 3628